



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Economic Services Administration, Division of Child Support

**Subject of possible rule making:**

The Division of Child Support (DCS) proposes to amend WAC 388-14A-4200 to strike subsection (4) because we believe that subsection (4) goes beyond the intent of RCW 26.18.190, the statute which the rule is meant to implement.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 26.18.190, 26.23.035, 74.08.090 and 74.20A.055

**Reasons why rules on this subject may be needed and what they might accomplish:**

DCS has determined that subsection (4) of the current rule does not allow DCS to give credit to a noncustodial parent for dependent disability payments paid on the NCP's behalf for his or her children unless the payments are made to the custodial payment or the state. RCW 26.18.190 does not contain this limitation.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** n/a

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DCS engages in modified collaborative rulemaking. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS Division of Child Support (DCS) Headquarters as soon as possible. DCS will post information regarding this rule development project and others on its web site, which can be found at <http://www.dshs.wa.gov/dcs/>, or on the DSHS Economic Services Administration's policy review web site, which can be found at <https://fortress.wa.gov/dshs/f2ws03esaapps/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule-making, and will send a copy to everyone currently on the mailing list and to anyone else who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Nancy Koptur, DCS Rules Coordinator

Division of Child Support

PO Box 9162, MS 45860

Olympia, WA 98507-9162

email: [nkoptur@dshs.wa.gov](mailto:nkoptur@dshs.wa.gov) or [nancy.koptur@dshs.wa.gov](mailto:nancy.koptur@dshs.wa.gov)

Telephone: 360-664-5065

Toll-free 1-800-457-6202 FAX 360-664-5342

TTY/TDD: 360-664-5011

**DATE**

March 17, 2011

**NAME (TYPE OR PRINT)**

Katherine Vasquez

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

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STATE OF WASHINGTON  
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**DATE: March 22, 2011**

**TIME: 10:12 AM**

**WSR 11-07-074**